

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

OLANEKAN YEMITAN

§

VS.

§ CIVIL ACTION NO. 1:03cv1337

UTMB MEDICAL DEPARTMENT, ET AL. §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE's REPORT AND RECOMMENDATION

Plaintiff Olanekan Yemitan, an inmate at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this civil rights action against the UTMB Medical Department and the Federal Bureau of Prisons.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends this action be dismissed without prejudice pursuant to FED. R. Civ. P. 4(m).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED at Beaumont, Texas, this 14th day of December, 2005.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE